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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

HOWARD RONALD TUBIN, individually,

Plaintiff,

v.

DEPUY SYNTHES SALES, INC., d/b/a
DEPUY SYNTHES JOINT
RECONSTRUCTION; DEPUY SYNTHES
INC.; JOHNSON & JOHNSON; DEPUY
ORTHOPAEDICS, INC.; STRYKER
CORPORATION; HOWMEDICA
OSTEONICS CORPORATION d/b/a
STRYKER ORTHOPAEDICS; AAP
IMPLANTS, INC.; DOES 1 through 15,
inclusive; and ROE BUSINESS ENTITIES 1
through 15, inclusive,

Defendants.

CASE NO.: 2:20-cv-02347-APG-DJA

**STIPULATION AND [PROPOSED]
ORDER TO DISMISS DEFENDANT
AAP IMPLANTS, INC., ONLY
WITHOUT PREJUDICE**

**STIPULATION AND [PROPOSED] ORDER TO DISMISS DEFENDANT AAP
IMPLANTS, INC., ONLY WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto that
named Defendant AAP IMPLANTS, INC., only, are dismissed *without* prejudice, each of the parties
to bear their own costs and attorney fees, but that Plaintiff may subsequently seek leave from the

1 Court to bring AAP IMPLANTS, INC., back into the case should discovery later indicate that it is a
2 necessary and proper party.

3 **IT IS FURTHER STIPULATED AND AGREED** by and between the parties hereto that
4 the caption in this matter shall be amended to remove AAP IMPLANTS, INC., and to reflect the
5 proper defendants.

6
7 DATED this 29th day of March 2021

8 **BERTOLDO BAKER CARTER &
SMITH**

9 /s/ Lindsay K. Cullen
10 LINDSAY K. CULLEN, ESQ.
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13 Attorneys for Plaintiff

DATED this 29th day of March 2021

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14
15 DATED this 29th day of March 2021

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17 /s/ Nicholas Deutsch
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Attorneys for Defendant, Howmedica Osteonics Corp

ORDER

IT IS SO ORDERED.

DATED this 29th day of March 2021.



U.S. DISTRICT COURT JUDGE

Prepared and Submitted by:

BERTOLDO BAKER CARTER & SMITH

/s/Lindsay K. Cullen

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